

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                 |   |                |
|---------------------------------|---|----------------|
| -----                           | X |                |
|                                 | : |                |
| DENISE ESPINOZA,                | : |                |
|                                 | : |                |
| Plaintiff,                      | : |                |
|                                 | : |                |
| -v-                             | : | 23cv9133 (DLC) |
|                                 | : |                |
| JOE AND PAT'S PIZZERIA, et al., | : | <u>ORDER</u>   |
|                                 | : |                |
| Defendants.                     | : |                |
|                                 | : |                |
| -----                           | X |                |

DENISE COTE, District Judge:

On February 23, 2024, defendant Joe & Pat's Pizzeria filed a motion to dismiss filed a motion to dismiss the complaint pursuant to Rules 12(b)(2) and 12(b)(6), Fed. R. Civ. P. On February 29, 2024, defendants Gennaro Pappalardo, Ciro Pappalardo, Casey Pappalardo, and John Piscopo filed a motion to dismiss the complaint pursuant to Rules 12(b)(2) and 12(b)(6), Fed. R. Civ. P. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

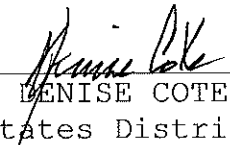
ORDERED that plaintiff shall file any amended complaint by March 22, 2024. It is unlikely that plaintiff will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motions to

dismiss by March 22, 2024. Defendants' replies, if any, shall be filed by March 29, 2024. At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that the 2/26/2024 Order is vacated.

Dated: New York, New York  
March 4, 2024

  
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DENISE COTE  
United States District Judge